



NOTICE

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The original documents referenced in this file are available for inspection in the Office of the City Clerk, 215 Church Avenue, Room 456, Municipal Building, Roanoke, Virginia 24011.

To receive the City Council agenda (without reports) automatically via e-mail, contact the Office of the City Clerk at clerk@ci.roanoke.va.us or (540) 853-2541. The City Council agenda (with or without reports) for each meeting is available at www.ci.roanoke.va.us.

Mary F. Parker
City Clerk



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JULY 16, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Larry Atkin, Pastor, Edgewood Christian Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, July 19, 2001, at 7:00 p.m., and Saturday, July 21, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

A RESOLUTION expressing sympathy to the congregation of Virginia Heights Baptist Church and their pastor, our fellow Council Member C. Nelson Harris.

2. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 A communication from Council Member William White, Sr., Chair, Audit Committee, requesting that Council convene in Closed Session to discuss appointment of a new Municipal Auditor, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request.

- C-2 A communication from the City Attorney requesting that Council convene in Closed Session to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request.

- C-3 A communication from Edward A. Natt, Attorney, representing Southside Development Company, requesting that Council authorize the City Clerk to advertise a public hearing for Monday, August 6, 2001, at 2:00 p.m., or as soon thereafter as the matter may be heard, on the request of his client to rezone property located at the southeast terminus of Bean Street, N. W., from C-1, Office District, to LM, Light Manufacturing District.

RECOMMENDED ACTION: Concur in request.

- C-4 A communication from the City Manager recommending that the City Clerk be authorized to advertise a public hearing for Monday, August 6, 2001, at 2:00 p.m., or as soon thereafter as the matter may be heard, to consider entering into a new lease for the building located at 3379 Colonial Avenue, S. W.

RECOMMENDED ACTION: Concur in recommendation.

- C-5 Qualification of the following persons:

Sharon Hicks as a member of the Youth Services Citizen Board for a term ending May 31, 2004;

George Kegley as a member of the Roanoke Arts Commission for a term ending June 30, 2002; and

William E. Skeen as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2005.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

- a. Presentation by representatives of 21st Century Challenge, a program created by Habitat for Humanity International. Bill Poe and Ted Edlich, Spokespersons.
- b. Presentation by Vital Signs in regard to the New Technology Corridor. Priscilla Richardson, MA, JD Vital Signs Representative.

4. PETITIONS AND COMMUNICATIONS: NONE.

5. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication with regard to performing Third Party Administrator functions by Landin, Inc., for Workers' Compensation for the City of Roanoke, in the amount of \$40,000.00 per annum.
2. A communication with regard to reassignment of Management Services functions to the Department of General Services and the Department of Technology.
3. A communication recommending that the City Manager be authorized to accept the bid of McNeil Asphalt Maintenance, Inc., for repairing, resurfacing, and restriping tennis and basketball courts in the City, in the amount of \$99,900.00; and appropriation of funds.
4. A communication recommending acceptance of bids submitted by GTSI Corporation for the purchase of mobile computers and Motorola, Inc., for the purchase of vehicle radio modems and test messengers for use by the Police and Fire Departments; and appropriation of funds.
5. A communication recommending acceptance of bids submitted by Magic City Motor Corporation and Roanoke Welding Company for trucks and related equipment for the Streets and Traffic Department, in the total amount of \$241,558.00.

6. A communication recommending acceptance of exercise equipment, valued at \$20,000.00, from the Roanoke Association Chapter of the Virginia Police Benevolent Association, Inc.
 7. A communication recommending acceptance of the Urban and Community Forestry Grant, in the amount of \$13,674.00.
 8. A communication in connection with funding recommendations of the Human Services Committee for qualified agencies for fiscal year 2001-02.
- b. DIRECTOR OF FINANCE:
1. A report recommending adoption of measures to reappropriate funds into the current year budget in order that certain encumbrances may be properly liquidated.
- c. CITY ATTORNEY:
1. A report with regard to amendment to the Sewer Use Standards.

6. REPORTS OF COMMITTEES:

- a. A report of the City Planning Commission recommending that Washington Park be renamed Booker T. Washington Park as requested by a citizen committee and the Department of Parks and Recreation. D. Kent Chrisman, Chair.
- b. A report of the City Planning Commission recommending that Ferndale Drive from extended Ordway Drive to its terminus be renamed Ordway Drive, N. W., and that there be no change in the name of Ferndale Drive from Ferncliff Avenue to the cul-de-sac. D. Kent Chrisman, Chair.

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35438, on second reading, authorizing the City Manager to execute an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located at 506 Church Avenue and the adjoining lot, bearing Official Tax Nos. 1113419 and 1113418, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions.

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CERTIFICATION OF CLOSED SESSION.

THE MEETING OF ROANOKE CITY COUNCIL WILL BE DECLARED IN RECESS TO BE RECONVENED AT 5:00 P.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, FOR A JOINT MEETING OF ROANOKE CITY COUNCIL AND THE ROANOKE CIVIC CENTER COMMISSION.

FOLLOWING THE SESSION OF COUNCIL AND THE CIVIC CENTER COMMISSION, THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 7:00 P. M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JULY 16, 2001
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call.

The Invocation will be delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, July 19, 2001, at 7:00 p.m., and Saturday, July 21, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Public hearing on the request of Lee Hi Land Group on the question of amending proffered conditions presently binding upon a tract of land lying on the north side of Orange Avenue, N. E., Official Tax No. 7140114, as set forth in Ordinance 33516-080497, adopted on August 4, 1997. Bob Coptly, Managing Partner, Spokesperson.
2. Public hearing on the request of the Blue Ridge Small Business Development Center, Inc., d/b/a The New Century Venture Center, for designation of property located at 1354 Eighth Street, S. W., to be exempted from taxation. Lisa Ison, President, The New Century Venture Center, Spokesperson.
3. Public hearing on the proposal of the City of Roanoke to convey approximately 1,000 square feet, more or less, of City-owned property located in Garden City Park, described as a strip of land approximately 100' x 10' between the creek and the rear property line of Official Tax No. 4390812, being a portion of Official Tax No. 4390619, to Cheryl Marie Proctor Chandler, 3655 Ventnor Road, S. E., upon certain terms and conditions. Darlene L. Burcham, City Manager, Spokesperson.
4. Public hearing with respect to the proposed adoption of a resolution authorizing the City of Roanoke to contract a debt and to issue general obligation public improvement bonds of the City and in anticipation of the issuance thereof general obligation public improvement bond anticipation notes of the City, in the principal amount of \$31,245,000.00, for the purpose of providing funds to pay the costs of acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City. Darlene L. Burcham, City Manager; and James D. Grisso, Director of Finance, Spokespersons.
5. Public hearing on the proposal of the City of Roanoke to convey to Trigon Insurance Company certain City owned property identified as Official Tax Nos. 4016001, also known as Key Plaza, and 4016003, located on Franklin Road, S. W. Darlene L. Burcham, City Manager, Spokesperson.

B. OTHER HEARING OF CITIZENS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION expressing sympathy to the congregation of Virginia Heights Baptist Church and their pastor, our fellow Council member The Reverend C. Nelson Harris.

WHEREAS, the members of Council learned of an accident involving 12 youths and two adults from Virginia Heights Baptist Church who were returning from a Christian youth camp in Myrtle Beach, South Carolina, in a church van on Sunday, July 1; and

WHEREAS, after the accident, 11 of the youth riding in the van were hospitalized, and seven were treated and released that Sunday afternoon; and

WHEREAS, three youth remain in the hospital with serious and critical injuries; and

WHEREAS, Jessika Lewis, a 13-year-old youth critically injured in the accident, passed away on Friday, July 6; and

WHEREAS, The Reverend Harris has ministered to and supported the congregation of Virginia Heights Baptist Church and the families of the injured youth throughout this crisis.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. City Council adopts this resolution as a means of recording its deepest regret and sorrow that this accident occurred and at the passing of Jessika Lewis, and extends its support and condolences to the congregation of Virginia Heights Baptist Church, to Jessika's family, and to The Reverend Harris.

2. The City Clerk is directed to forward an attested copy of this resolution to The Reverend C. Nelson Harris to share with the members of his congregation.

ATTEST:

City Clerk.

July 16, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William Carder, Vice-Mayor
The Honorable William Bestpitch, Council Member
The Honorable Nelson Harris, Council Member
The Honorable Alvin Hudson, Council Member
The Honorable William White, Council Member
The Honorable Linda Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Montessori School
Lease

Following the request of the Specific Reading and Learning Difficulties Association (commonly referred to as Montessori School) to cancel its lease of the property located at 3379 Colonial Avenue with the City of Roanoke, which request was granted, to be effective September 1, 2001, we were contacted by a parents group. This group, The New Vista Montessori School, is interested in leasing some of the property for a similar purpose and have proposed a term of one year at \$3000. In order to consider a new lease, the City Council must hold a public hearing.

Recommendation:

Direct the City Clerk to advertise a public hearing for August 6, 2001 to consider entering into a new lease for the building and the approximately 7.2 acres of real estate associated with the property located at 3379 Colonial Avenue.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:ean

c: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Beth Neu, Director of Economic Development

CM-01-0154

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Workers= Compensation Third
Party Administrator

Background:

All employees of the City of Roanoke are covered by workers= compensation as required by state law. Roanoke is self-administered and self-insured for Workers= Compensation.

Currently, the City experiences approximately 400 new Workers= Compensation claims annually, and continues to administer some active claims from previous years. These claims entail significant amounts of paperwork and can be handled more efficiently by a company that deals with workers= compensation exclusively. The Office of Risk Management started an evaluation process to determine the logic of employing a Workers= Compensation Third Party Administrator.

Considerations:

After submission of RFPs, non-binding on the part of the City, four Third Party Administrators were interviewed with Landin, Inc., being the clear choice of all on the panel. Landin proposes to administer all workers= compensation claims for the City for a fee comparable to that of hiring a workers= compensation specialist to replace the one who has recently retired. Landin offers assurances that all of the City's injured employees will receive quality service to speed their recoveries.

The use of a Third Party Administrator should enable the Office of Risk Management to have more time to spend administering general liability and automobile liability claims. These classes of claims have the greatest potential financial impact to have their outcomes affected by extra time and effort devoted to their investigation and administration.

Recommended Action:

Council authorize the City Manager to enter into a one - year contract, with the option to renew for 2 additional one - year periods by mutual agreement, with Landin, Inc., to perform Third Party Administrator functions for Workers= Compensation for the City of Roanoke, and to authorize payment to Landin, Inc., in an amount not to exceed \$40,000 per annum from the following funding source:

<u>Funding Source</u>	<u>Account Number</u>	<u>Amount</u>
Fees for professional services	019-420-1262-2010	\$40,000

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:vls

pc: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Glenn A. Asher, Risk Management Officer

CM01-00132

SERVICE AGREEMENT FOR
ADMINISTRATION SERVICES

THIS AGREEMENT is hereby entered into this **1st** day of **July**, 2001, by and between the **The City of Roanoke, Virginia**, a body corporate having its principal place of business at 215 Church Ave., SW, Roanoke, Virginia 24011 (hereinafter referred to as "City"), and **The Landin Companies**, a Virginia corporation having its principal place of business is 4912 Augusta Avenue, Richmond, Virginia 23230 (hereinafter referred to as "Contractor").

FOR AND IN CONSIDERATION OF the mutual covenants and agreements contained herein, and intending to be legally bound hereby, the parties hereto agree as follows:

(1) **Term:** The term of this Contract shall be from the 1st day of July, 2001, through the 30th day of June, 2002 and will be renewed automatically for up to three (3) additional one (1) year periods, in accordance with the Termination (Section 7) and Compensation (Section 16) provisions of this agreement.

(2) **Scope of Services:** The Contractor shall provide Self-Insured Workers' Compensation Administration Services for the City, as set forth in the initial Proposal submitted by Contractor dated February 1, 2001 and the City of Roanoke, Virginia's Request For Proposal #00-12-73, the provisions of which are incorporated herein by reference as though fully set out herein.

(3) **Independent Contractor:** Neither the Contractor, its employees, assignees or subcontractors shall be deemed employees of the City while performing under this Agreement.

(4) **General Provisions:** Nothing in this Agreement shall be construed as authority for either party to make commitments which will bind the other party beyond the scope of services contained herein.

(5) **Inventions & Copyrights:** The Contractor is prohibited from copyrighting any papers, interim reports, forms or other material and/or obtaining patents on any invention resulting from its performance under this Agreement, except when specific written authorization of the City is given. The copyright or patent shall belong to the City.

(6) **Integration & Modification:** This Agreement incorporates by reference the City of Roanoke, Virginia's Request for Proposal #00-12-73 and the Contractor's proposal dated February 1, 2001, which constitutes the entire agreement between the Contractor and the City. No alteration, amendment or modification in the

provisions of this Agreement shall be effective unless it is reduced to writing, signed by the parties and attached hereto.

(7) **Termination:** This Agreement shall be automatically renewed for three (3) successive twelve (12) month periods unless either party gives written notice at least ninety (90) days prior to the end of any anniversary period. Upon this termination for convenience, notwithstanding any fees already due and payable to the Contractor, the Contractor shall be paid only for those additional fees and expenses incurred between notification of termination and the effective date of termination that are necessary for curtailment of its work under this Agreement. The parties may mutually agree in writing to an earlier termination.

In the event of a breach by the Contractor of this Agreement, the City shall have the right upon thirty (30) days written notice to give notice of its intention to rescind, revoke or terminate the Agreement. During the thirty (30) day notification period, Contractor shall have the right to substantially correct the breach. If a notice of breach is given and the Contractor has not substantially corrected the breach within thirty (30) days of receipt of the written notice, the City shall have the right to terminate this Agreement. A waiver of breach of any provision of this Contract shall not be deemed to be a waiver of any other subsequent breach and shall not be construed to be a modification of the terms of the Contract.

A violation of any state or federal law or regulation by Contractor shall be considered a breach of this Contract.

In the event of rescission, revocation or termination, all documents and other materials related to the performance of this Agreement shall become the property of the City.

(8) **Collateral Contracts:** Where there exists any inconsistency between this Agreement and other provisions of collateral contractual agreements, which are made a part of this Agreement by, reference or otherwise, the provisions of this Agreement shall control.

This Contract constitutes the complete terms of agreement between these parties. Any amendments to its terms shall be in writing and signed by all parties.

(9) **Nondiscrimination:** In its performance of this Agreement, the Contractor warrants that it will not discriminate against any employee, or other person, on account of race, color, sex, religious creed, ancestry, age, or national origin.

The Contractor shall post in conspicuous places that are available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. In its solicitations or advertisements for

employees, whether placed by or on behalf of the Contractor, the Contractor shall state that it is an equal opportunity employer. Notices, advertisements and solicitations, which conform with federal law, rule or regulation, shall be deemed sufficient for the purpose of meeting the requirements of this section.

(10) **Applicable Laws:** This Agreement shall be governed in all respects, whether as to validity, construction, capacity, performance or otherwise, by the laws of the Commonwealth of Virginia.

(11) **Severability:** Each paragraph and provision of this Agreement is severable from the entire Agreement, and if any provision is declared invalid, the remaining provisions shall nevertheless remain in effect.

(12) **Duplicate Payments or Overpayments:** Should contractor be solely at fault for making a claim payment in excess of the amount properly payable or a duplicate payment, absent any fault on the part of the City of Roanoke or fraud or willful misconduct on the part of any employee by the City of Roanoke, then Contractor shall, within 30 days of discovery of said overpayment, reimburse the City for such overpayment.

(13) **Disclaimer:** The Contractor's undertaking of loss control/safety surveys, inspections, and/or consultations on behalf of the City, should they be desired, shall not constitute a warrant of accident reduction, that any City operations, premises, equipment, or personnel are safe, or that the City is in compliance with every, local, state, federal, or other law, regulation, or industry practice.

(14) **Hold Harmless:** The Contractor shall, during the term of the contract, indemnify, defend (to include reasonable attorney's fees), and hold harmless the City and its agents, officers, trustees and employees from all claims or demands as a result of an act or omission by the contractor or his employees, or from Contractor's violation of any law, ordinance, regulation or decree. Contractor shall neither indemnify nor defend the City in those instances where Contractor's acts or omissions are at the direction of the City.

(15) **Assignment:** The rights and obligations under this Service Agreement may not be assigned by either party without the prior written consent of the other party.

(16) **Ownership of Documents:** Any reports, studies, photographs, negatives, or other documents prepared by the Contractor shall be retained by the Contractor and shall be remitted to the City by the Contractor upon contract termination or demand by the City. The Contractor shall not use, willingly allow or cause to have such materials used for any purpose other than performance of

Contractor's obligations under this Contract without the prior written consent of the City.

(17) **Compensation:** The Contractor shall be paid no more than \$33,210 for the servicing of new claims and no more than \$6,790 for the servicing of open claims transferred to the Contractor. All service provided under this contract will cease at its termination. Payments in the amount of \$10,000 shall be due quarterly and paid during any contract term as follows: July 1, October 1, January 1, and April 1. Service fees in effect during the current service agreement period will remain in effect for any subsequent period, unless Contractor sends written notice to the City at least ninety (90) days prior to the expiration date of the current service agreement period of its intent to propose a fee adjustment for the subsequent period.

(18) **Excluded Costs:** All “Allocated Loss Expense” and other expenses associated with supplementing the administration of claims are not included in the Contractor’s Service Fees, are chargeable to the cost of claims, and are to be paid directly by the City. Such costs include, but are not limited to: court costs and fees; fees to attorneys; fees to undercover operatives and detectives; the costs of professional or expert testimony, opinion, or advice; claimant medical examination fees; costs of reports from government agencies; certain medical and vocational rehabilitation costs; and printing or photocopy charges for documents for legal proceedings.

(19) **Confidential Information:** During the term of this Agreement and thereafter, the Contractor shall respect the confidentiality of all confidential data, information, and other such matters entrusted to it in the course of its performance of this Agreement. At the conclusion of the terms of this Agreement, or upon termination thereof, the Contractor shall return to the City all such confidential matters in its possession belonging to the City, and further agrees not to release such information without the express written permission of the City.

(20) **Insurance and Licenses:** The Contractor shall maintain commercial general liability insurance which shall include professional liability insurance, in a minimum amount of \$1,000,000. With regards to the commercial general liability coverage, the Contractor’s insurance certificate shall name the City of Roanoke, its officers, employees, and agents as additional insureds and an endorsement to that effect shall be received by the City’s Office of Risk Management within 30 days of execution of this agreement. In addition, the Contractor shall also obtain and maintain in full force and affect all business, professional and other licenses or permits required under local, state, and federal statutes and regulations.

(21) **Notices:** All notices, requests, consents and other communications by either party, arising out of this Agreement, must be in writing and addressed as follows:

If to City:

The City of Roanoke
Office of Risk Management
215 Church Avenue, SW
Room 506
Roanoke, Virginia 24011

If to Contractor:

The Landin Companies
4912 Augusta Ave.
Richmond, Virginia 23230
Attention: David Craig Landin
President

IN WITNESS WHEREOF, the parties have caused the Agreement to be executed by the following duly authorized officials.

The City of Roanoke, VA
A Body Corporation

By:

XXXX, City Manager
The City of Roanoke, Virginia

Manager

Superintendent
Mr. Glenn Asher, Risk

The City of Roanoke, Virginia

Attest:

Clerk, City of Roanoke, Virginia

THE LANDIN COMPANIES

By:

David Craig Landin, President
The Landin Companies

STATE OF VIRGINIA

COUNTY OF HENRICO, to--wit:

The foregoing instrument was acknowledged before me this ____ day of ____
____, 2001, by David Craig Landin.

My commission expires:_____.

Notary Public

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the acceptance of a bid and execution of a contract with Landin, Inc., for the provision of services as a third party administrator for workers=compensation claims for the City, upon certain terms and conditions, and rejecting all other bids received.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The bid of Landin, Inc., being the most responsible bid received for the provision of services as a third party administrator for workers=compensation claims for the City, such services being more particularly described in the July 16, 2001, letter to this Council, is hereby ACCEPTED.

2. The City Manager and the City Clerk are hereby authorized, for and on behalf of the City, to execute and attest, respectively, a contract with Landin, Inc., upon form approved by the City Attorney, for the services listed above for a period of one (1) year, in an amount not to exceed \$40,000.00, with the option to renew for two (2) additional one-year periods, upon such terms and conditions as are more fully set out in the letter to this Council dated July 16, 2001.

3. Any and all other bids made to the City for the aforesaid services are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express the City's appreciation for such bid.

ATTEST:

City Clerk.

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Reassigning
Management
Services

Background:

The Management Services fund provides the organizational support services for photocopying, postage, printing and courier services. Responsibility for Management Services currently lies with the Department of Management and Budget (DMB). However, DMB's approved strategic business plan reassigns the responsibilities of the Management Services fund to other departments as follows:

- Courier, mail processing and printing activities is reassigned to the Department of General Services; and
- Photocopying is reassigned to the Department of Technology due to the impending convergence of photocopying and printer technology.

The Department of Management and Budget's mission is to enhance the effectiveness of City government by addressing strategic goals, meeting ongoing services needs and implementing management practices and budget strategies that will effectively allocate available resources. These reassignments of responsibilities will allow DMB staff to focus their efforts on key businesses and business activities that will help achieve the department's mission and, in effect, create more oversight of the functions to be transferred since they will become "mission critical" in the department where they are assigned. Budget adjustments are necessary to reassign

Management Services to the departments indicated. These adjustments will also simplify the accounting system by eliminating one existing operating fund.

Recommended Action:

Adopt the budget ordinance to reallocate revenues and appropriations from the Management Services fund to the Departments of General Services and Technology.

Respectfully submitted,

Darlene L. Burcham

DLB:afs

c :
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Barry L. Key, Director of Management and Budget
James D. Grisso, Director of Finance
Doc Roupe, Director of General Services
Joe Slone, Director of Technology

CM01-00144

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Repair, Resurface
 and Restripe Tennis
 and
 Basketball Courts
 Bid No. 01-06-26

Background:

On October 2, 2001, City Council concurred with the funding recommendations for the FY 00-01 Capital Maintenance and Equipment Replacement Program (CMERP). CMERP is used to fund equipment purchases, maintenance and other one-time priority purchases. The need has been identified to resurface, repair and restripe various tennis and basketball courts for Parks and Grounds Maintenance.

City Council's approval is required for the appropriation of funds from CMERP to allow for the acquisition of these services.

Considerations:

Bids were requested after due and proper advertisement. Three (3) bids were received and evaluated in a consistent manner. McNeil Asphalt Maintenance, Inc., Roanoke, Virginia was the low responsive and responsible bidder and meets the required specifications.

Recommended Action:

City Council approve the budget ordinance to appropriate \$99,900.00 from prior fiscal year's CMERP to an account in the Capital Projects Fund entitled "Repair, Restripe and Resurface Tennis/Basketball Courts".

Authorize the City Manager to accept the bid from McNeil Asphalt Maintenance, Inc. of Roanoke, Virginia for a total cost of \$99,900.00 and reject all other bids.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB: bdf

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Wanda B. Reed, Acting Director of Parks and Recreation
Robert L. White, Manager, Purchasing

CM01-00146

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE accepting the bid of McNeil Asphalt Maintenance, Inc., to repair, resurface and restripe tennis and basketball courts for Parks and Grounds Maintenance, upon certain terms and conditions; and rejecting all other bids made for such items; and providing for an emergency.

BE IT ORDAINED by this Council of the City of Roanoke that:

1. The bid submitted by McNeil Asphalt Maintenance, Inc., to repair, resurface and restripe tennis and basketball courts at a total cost of \$99,900.00 is hereby ACCEPTED, as set forth in the City Manager's letter to Council dated July 16, 2001.

2. The City's Manager of the Purchasing Department is hereby authorized and directed to issue the requisite purchase order therefor, incorporating into said order the City's specifications, the terms of said bidder's proposal and the terms and provisions of this resolution.

3. Any and all other bids made to the City for the aforesaid procurement are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

4. In order to provide for the usual daily operation of the municipal government, an emergency is deemed to exist, and this ordinance shall be in full force and effect upon its passage.

ATTEST:

City Clerk

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Bids for Mobile
Computers for Public
Safety Applications
Bid No. 01-05-01

Background:

The City currently has 58 Keyboard Data Terminals (KDTs) that are in use in vehicles of the Police (54) and Fire Departments (4). These KDTs are no longer in production by Motorola and replacement parts are no longer manufactured. Advances in technology offer the City the opportunity to employ mobile computers that increase Police Officer safety and efficiency. Evaluation of the current technology and the objectives set forth by the Public Safety Team made the Panasonic CF28 the preferred mobile computer by the City of Roanoke. The City, Roanoke County, and the Town of Vinton all participated in a Request For Quotation for mobile computers and required accessories.

Vendors offering the Panasonic CF28 as well as vendors that offer comparatively designed mobile computers were invited to submit competitive bids.

This RFQ was released on May 1, 2001 and opened on May 16, 2001.

Considerations:

Eight (8) bids were received and evaluated in a consistent manner. Not all bids met City specifications as described in the RFQ. The bids were evaluated by a team consisting of members of the City's Police Department, Department of Technology, Radio Shop, and E-911 Center as well as Roanoke County's Police Department.

The evaluation revealed that GTSI Corporation's (Chantilly, Virginia) bid of \$5406 per mobile computer, mount, operating system software and extended warranty was the low bid offered.

The Vehicle Radio Modem and Text Messenger required to operate the mobile computers were bid on only by Motorola, Inc. at a price of \$3,097 per unit.

At a total cost per unit of \$8503, funding totaling \$340,120 is in account 013-052-9831-9203 for the purchase of forty (40) mobile computers and required components. The remaining eighteen (18) units costing \$153,054 will be funded from the Department of Technology's prior years retained earnings fund.

Recommended Action:

1. Accept the bid of GTSI Corporation for the purchase of mobile computers per the details of the bid response dated May 16, 2001.
2. Accept the bid of Motorola for the purchase of the Vehicle Radio Modems and Text Messenger per the details of the bid response dated May 16, 2001.
3. Reject all other bid responses.
4. Authorize the City Manager to sign all necessary forms and agreements with GTSI Corporation of Chantilly, Virginia and Motorola, Inc., in response to RFQ 01-05-01.
5. Appropriate funding of \$153,054 from Department of Technology Retained Earnings to account 013-430-1602-9015.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB: bdf

- c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Joe D. Slone, Director of Technology
Barry L. Key, Manager, OMB
Robert L. White, Manager, Purchasing

CM01-00118

IN THE COUNCIL OF THE CITY OF ROANOKE VIRGINIA,

A RESOLUTION accepting the bid of GTSI Corporation for the purchase of mobile computers and accepting the bid of Motorola, Inc., for the purchase of vehicle radio modems and Text Messenger Software, upon certain terms and conditions, and awarding contracts therefor; authorizing the proper City officials to execute the requisite contracts for such items; and rejecting all other bids made to the City for the items.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The bid of GTSI Corporation to provide mobile computers, mounts, operating system software and extended warranty at a cost of \$5,406 per unit, as is set forth in the letter to this Council dated July 16, 2001, and as provided in the bid documents on file in the Department Technology, such bid being in full compliance with the City's specifications made therefor, is hereby ACCEPTED.

2. The bid of Motorola, Inc., to provide vehicle radio modems and Text Messenger Software required to operate the mobile computers at a cost of \$3,097 per unit, as is set forth in the letter to this Council dated July 16, 2001, and as provided in the bid documents on file in the Department Technology, such bid being in full compliance with the City's specifications made therefor, is hereby ACCEPTED.

3. The City Manager and the City Clerk are hereby authorized, on behalf of the City, to execute and attest, respectively, the requisite contracts and documents with the successful bidders, based on their bids and the City's specifications made therefor, all contracts and documents to be in a form approved by the City Attorney.

4. Any and all other bids made to the City for the aforesaid items are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

Attest:

City Clerk.

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Trucks and Related Equipment
Bid No. 01-06-02

Background:

Capital Maintenance and Equipment Replacement Program (CMERP) for the prior year identified the need to replace two (2) 2 ½ ton dump trucks, two (2) 10 ton dump trucks and one (1) 15 ton dump truck in Streets and Traffic.

Considerations:

Bids were requested after due and proper advertisement. Eight (8) bids were received. The lowest responsive and responsible bid submitted on all chassis was Magic City Motor Corporation, Roanoke, Virginia at a unit cost of \$36,540.00 for the 2 ½ ton chassis, \$45,333.0 for the 10 ton chassis and \$53,892.00 for the 15 ton chassis for a total cost of \$217,638.00. The lowest responsive and responsible bid submitted on all dump bodies Roanoke Welding Company, Roanoke, Virginia at a unit cost of \$3,895.00 for the 2 ½ ton dump body, \$4,465.00 the 10 ton dump body and \$7,200.00 for the 15 ton dump body for a total cost of \$23,920.00. Funding is available from the SunTrust Lease of Vehicle account #017-440-9851-9015.

Recommended Action:

Award the bids as set forth above and authorize the issuance of purchase orders for a total of \$241,558.00 and reject all other bids.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB: bdf

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
James A. McClung, Manager, Fleet Management
Robert L. White, Manager, Purchasing

CM01-00148

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION accepting certain bids for the purchase of trucks and related equipment, upon certain terms and conditions, and rejecting all other bids made for such equipment.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The bids in writing of the following named bidders to furnish to the City the items hereinafter set out and generally described, such items being more particularly described in the City's specifications and any alternates and in each bidder's proposal, are hereby ACCEPTED, at the purchase prices set out with each item:

Quantity	Description	Successful Bidder	Purchase Price
2	2 2 - Ton chassis	Magic City Motor Corp. Roanoke, Va.	\$ 73,080.00
2	10 - Ton chassis	Magic City Motor Corp., Roanoke, Va.	\$ 90,666.00
1	15 - Ton chassis	Magic City Motor Corp. Roanoke, Va.	\$ 53,892.00
2	2 2 - Ton dump body	Roanoke Welding Company, Roanoke Va.	\$ 7,790.00
2	10 - Ton dump body	Roanoke Welding Company, Roanoke Va.	\$ 8,930.00

1	15 - Ton dump body	Roanoke Welding Company, Roanoke Va.	\$ 7,200.00
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2. The City's Manager of Purchasing is hereby authorized to issue any requisite purchase orders therefore, incorporating into such orders the City's specifications, the terms of such bidder's proposal and the terms and provisions of this resolution.

3. Any and all other bids made to the City for the aforesaid equipment are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

ATTEST:

City Clerk.

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor and Members of City Council:

Subject: Donation of Exercise Equipment

Background:

The Roanoke City Police Department's new building at 348 West Campbell is nearing completion. Funding for this building did not include exercise equipment for a fitness room on the second floor. The Roanoke Association Chapter of the Virginia Police Benevolent Association (PBA) has offered to donate \$20,000 toward the purchase of exercise equipment for this room. This would be new equipment, including a treadmill for cardiovascular exercise as well as free weights, benches, and protective pads for the floor. There would be no restrictions on use of the donated equipment by any Police Department employee, and the only PBA request is that a plaque be installed in the room to acknowledge the donation.

City Code Section 2-263 requires Council action to approve acceptance of gifts exceeding \$5,000 in value.

Recommended Action:

Council authorize acceptance of exercise equipment, valued at \$20,000, from the Roanoke Association Chapter of the Virginia Police Benevolent Association, Inc., and express appreciation for the same.

Respectfully submitted,

Darlene L. Burcham
City Manager

Honorable Mayor and Members of Council
July 16, 2001
Page 2

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Rolanda A. Johnson, Assistant City Manager for Community Development
Chief A. L. Gaskins, Police

#CM01-00139

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager to accept the donation of exercise equipment, valued at \$20,000, for the Police Department's new building from the Roanoke Association Chapter of the Virginia Police Benevolent Association, and expressing appreciation for the donation.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager is hereby authorized to accept the donation of exercise equipment, valued at \$20,000, for the Police Department's new building from the Roanoke Association Chapter of the Virginia Police Benevolent Association.
2. This Council expresses its appreciation to the Roanoke Association Chapter of the Virginia Police Benevolent Association for its donation.
3. The City Clerk is directed to forward an attested copy of this resolution to the Roanoke Association Chapter of the Virginia Police Benevolent Association.

ATTEST:

City Clerk

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Urban and Community Forestry
Grant

Background:

City staff identified a \$10,000 Urban and Community Forestry Grant available to communities through the Virginia Department of Forestry. Application for the grant was made through a proposal entitled "Demonstration Project: Central City Tree Planting". This project is needed because tree replacement in Roanoke's central city neighborhoods has not kept pace with other urban neighborhoods. The Virginia Department of Forestry notified the City of Roanoke on June 5, 2001, that a grant of \$10,000 has been awarded to the City of Roanoke for this project.

Considerations:

The Urban and Community Forestry Grant is a federal grant, sponsored by the U.S. Forest Service and administered by the Virginia Department of Forestry. Funds are awarded on a reimbursement basis after verification of match. The grant requires a 50% local match. Sufficient matching funding was identified using \$3,674 funds from Supplies-Trees Account #001-053-4340-3004, a Parks and Grounds operating budget account, and \$6,326 in kind match using department labor and equipment costs. The \$10,000 grant award funding will be

used to purchase an estimated 50 trees at an estimated price of \$200 each. These trees will be purchased, planted and guaranteed by a professional landscaping company. As part of this project, the city will also purchase 50 wholesale trees and will plant them using city labor and equipment. All trees will

The Honorable Mayor and Members of Council
July 16, 2001
Page 2

be planted in central city neighborhoods in cooperation with neighborhood organizations. Request for reimbursement of \$10,000 will be submitted following the completion of the project in Spring 2002. The time of performance is July 1, 2001 through May 15, 2002.

Recommended Action:

Accept the Urban and Community Forestry Grant and authorize the City Manager to execute any required grant agreement, or other related documents, such agreement to be approved as to form by the City Attorney, and appropriate \$13,674 in federal and local cash match funding in accounts to be established in the Grant Fund by the Director of Finance. The in-kind match of \$6,326 will be accounted for in the Parks and Grounds operating budget. Authorize the establishment of corresponding revenue estimates in the Grant Fund as well.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:kaj

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Wanda B. Reed, Acting Director of Parks and Recreation

#CM01-00145

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting the Urban and Community Forestry Grant from the Virginia Department of Forestry.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City hereby accepts the Urban and Community Forestry Grant from the Virginia Department of Forestry in the amount of \$10,000.00, as more particularly set forth in the City Manager's letter dated July 16, 2001, to this Council.
2. The City Manager is authorized to execute the necessary agreement, or other related documents, with the Virginia Department of Forestry for the City's acceptance of this grant, upon form approved by the City Attorney.

ATTEST:

City Clerk.

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Recommendations of Human
 Services Committee for Funding of
 Qualified Agencies for Fiscal Year
 2001-2002

Background:

The Human Services Committee budget in the amount of \$474,769 was established by City Council with the adoption of the general fund budget for fiscal year 2001-02 on May 7, 2001. Requests from 40 agencies totaling \$866,863.91 were received as indicated on Attachment 1. Committee members studied each application prior to an allocation meeting held on April 3, 2001. Agencies were notified of tentative allocations and advised they could appeal these recommendations.

Appeals of Committee recommendations, as provided by Council policy, were received after notification to each agency of its tentative recommended allocation. Appeals were filed and heard April 17, 2001 from the following agencies: All Star Clinics, TAP – HOPE VI Project, American Red Cross – Roanoke Chapter Disaster Services, Roanoke Adolescent Health Partnership, Northwest Neighborhood Environmental Organization, and Presbyterian

Community Center. All appeals were denied.

Performance audits will be conducted by the Council of Community Services to evaluate the effectiveness and efficiency of funded programs.

Honorable Mayor and Members of City Council

July 16, 2001

Page 2

Attachment 2 indicates funding received from other jurisdictions.

Recommended Action(s):

Transfer \$474,769 from the Human Services Committee account #001-630-5220-3700 to new line items to be established with the Human Services Committee budget by the Director of Finance as cited on Attachment 1.

Authorize the City Manager to execute contracts with the Salvation Army for the Homeless Housing Program - Red Shield Lodge, (\$14,000) and Abused Women's Shelter - The Turning Point, (\$14,000); St. John's Community Youth Program, Inc., (\$5,000); and the Council of Community Services, for performance audits to be conducted, (\$11,000).

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:tem

Attachments

c: Rolanda A. Johnson, Assistant City Manager for Community Development
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney

James D. Grisso, Director of Finance
Barry L. Key, Director of Management and Budget
Glenn D. Radcliffe, Director of Human/Social Services

#CM01-00142

Attachment 1

HUMAN SERVICES COMMITTEE

RECOMMENDED FUNDING ALLOCATIONS

2001/02

	Requested	Received	
2000/01			
YWCA:			
Youth Club – 4,000	10,000		
Child Care - - 0 – (New)	10,000		
KISS - - 0 - (New)	2,000		
Residence - - 0 - (New)	15,000	4,000	2
Boys and Girls Club	12,261	3,000	3
Blue Ridge Independent Living Center	9,866	2,000	2
St. John's Community Youth Program	10,000	5,000	5
Big Brothers/Big Sisters of Roanoke Valley, Inc.:			
M&M's School Mentoring – 3,000	4,000		
Community Based Mentoring – 4,000	8,000	7,000	7
Council of Community Services:			
Information and Referral – 8,869	9,030		8
Volunteer Roanoke Valley – 4,500 (New)	10,000	13,369	
National Multiple Sclerosis Society, Blue Ridge Chapter	1,000	1,000	1
Literacy Volunteers of America – Roanoke Valley	3,000	1,000	1
Roanoke Valley Interfaith Hospitality Network (New)	8,000	- 0 -	
Bradley Free Clinic	22,500	22,500	22
Roanoke Area Ministries	49,450	40,000	40
Roanoke Valley CASA	6,000	6,000	6
West End Center for Youth	78,000	35,000	35
Greenvale School	12,000	9,000	8
CHIP:			
Care Coordination Program – 21,450	21,450		
Helpful Opport. for Parents to Excel – H.O.P.E. - - 0- (New)	14,200		
Family Strengthening Program – 24,350	24,350	45,800	45
Northwest Neighborhood Environmental Organization, Inc. (NNEO) (New)	20,000	-0-	

Southwest Virginia Second Harvest Food Bank	25,000	15,000	14
Planned Parenthood of Blue Ridge Education Program	8,000	4,000	4
The National Conference for Community and Justice (NCCJ)	5,000	2,000	2
Northwest Child Development Center	20,600	20,000	20
Total Action Against Poverty (New)	25,000	-0-	
Conflict Resolution Center – Community Conflict Resolution	15,000	6,000	6
Inner City Athletic Association – 5,000	10,000	5,000	5
All Star Clinics of Roanoke Valley (New)	5,000		
Roanoke Valley Speech and Hearing Center, Inc.	3,500	3,500	3
YMCA 21 st Community Learning Center Summer Outreach	29,398.88	9,000	8
Family Service of Roanoke Valley:			
Home Care Aide – 14,000	15,500		
Domestic Violence Treatment – 9,500	11,500		
Adults Plus – 14,500	14,500		
Teen Outreach Program - - 0 - (New)	3,000	39,000	39
Presbyterian Community Center – Pathways After-School Program (New)	16,000	4,000	
Roanoke Adolescent Health Partnership	40,000	9,500	8
Prevent Child Abuse Roanoke Valley, Inc.			
Parenting Programs – 2,000	2,000		
Community Education – 2,000	2,000	4,000	4
Bethany Hall (New request for Nurse)	27,200	7,500	7
Adult Care Center of Roanoke Valley, Inc.:			
Adult Day Care – 4,000	4,000		
Respite Program – 2,000	2,000	6,000	6
Girl Scouts of Virginia Skyline Council – Girl Scouts Outreach Program	5,000	5,000	5
TRUST:			
Shelter Program – 7,600	9,100		
Hotline Program - - 0 – (New)	600		
Teenline Program - - 0 – (New)	180	7,600	7
Mental Health Association of Roanoke Valley – Roanoke Valley Mental Health Care Collaborative	2,200	2,000	1
League of Older Americans, Inc. – Meals on Wheels	35,000	29,000	28
Unified Human Services Transportation System, Inc. – STAR	27,000	24,000	24

Specialized Transit Arranged Rides			
Goodwill Industries of the Valley, Inc. – Transportation Services	48,000	38,000	38
Roanoke Valley Chapter American Red Cross – Disaster Services - (New)	50,000	- 0 -	
The Salvation Army:			
Turning Point – 14,000	15,000		
Red Shield Lodge for the Homeless – 14,000	14,000	28,000	27
Good Samaritan Hospice	5,000	1,000	1
Council of Community Services – Monitoring Services	11,000	11,000	11

460,941
 TOTAL:
 866,863.91 474,769

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION concurring in the recommendations of the Human Services Committee (ACommittee@) for allocation of City funds to various nonprofit agencies and performance audits for Fiscal Year 2001- 2002; authorizing the City Manager or her designee to execute a contract with the Salvation Army for provision of services under the Homeless Housing Program and/or Abused Women's Shelter, to execute a contract with St. John's Community Youth Program, Inc., for provision of services, and to execute a contract with the Council of Community Services to perform the necessary audits.

WHEREAS, the Fiscal Year 2001-2002 budget approved by City Council for the Human Services Committee provides for funding in the amount of \$474,769.00;

WHEREAS, in order to obtain an allocation for such funds, it was necessary for agencies to file applications with the Human Services Committee;

WHEREAS, requests for City funding in the total amount of \$866,863.91 were received by the Human Services Committee from forty (40) agencies;

WHEREAS, after studying each application and holding allocation meeting hearings, the Committee has recommended allocation of funding to certain applicant agencies for Fiscal Year 2001-2002; and

WHEREAS, performance audits are to be conducted for each agency receiving funds through the Committee to evaluate the effectiveness and efficiency of funded programs.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that:

1. Council concurs in the recommendations of the Human Services Committee as to the allocations for funding of various nonprofit agencies and performance audits for Fiscal Year 2001-2002 as more particularly set forth in the Committee report submitted to this Council, dated July 16, 2001, and the attachment to that report.

2. The Chairman of the Human Services Committee and the Director of Human Development are authorized to release funds to the appropriate agency, provided objectives, activities, and other reasonable requests of the monitoring staff as well as compliance with items reviewed by Municipal Auditing have been submitted and accepted.

3. The City Manager or her designee is authorized to execute a contract with the Salvation Army for provision of services under the Homeless Housing Program and/or Abused Women's Shelter.

4. The City Manager or her designee is authorized to negotiate a contract with St. John's Community Youth program, Inc., for provision of services.

5. The City Manager or her designee is authorized to negotiate a contract with the Council of Community Services for conducting the necessary audits.

ATTEST:

City Clerk.

July 16, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice-Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Jr., Council Member
The Honorable William White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

At the close of fiscal year 2001, budgeted funds were obligated for outstanding encumbrances. Purchase orders or contracts were issued for goods and services as of the close of fiscal year 2001, but delivery of the goods or performance of the services had not been completed. Reappropriation of these funds carries forward the unspent budget funds that were originally appropriated and are contractually obligated for the goods and services. The appropriation amounts are as follows:

General Fund Open Encumbrances	\$ 2,252,172
Water Fund Open Encumbrances	348,230
Sewage Fund Open Encumbrances	492,805
Civic Center Fund Open Encumbrances	59,952
Transportation Fund Open Encumbrances	960
Department of Technology Fund Open Encumbrances	144,811
Fleet Management Fund Open Encumbrances	118,989
School Fund Open Encumbrances	1,170,053
School Food Services Fund Open Encumbrances	24,695

I recommend that Council adopt the attached budget ordinances to reappropriate these funds into the current year budget in order that these encumbrances may be properly liquidated.

Sincerely,

James D. Grisso
Director of Finance

JDG/THT/ctg
Attachments

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
William Kelley, Assistant Superintendent of Operations

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 General Fund, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Treasurer	\$ 1,328
Clerk of Circuit Court	26,707
Juvenile and Domestic Relations Court Services	13,112
Juvenile and Domestic Relations Court Clerk	9,871
General District Court	7,483
Circuit Court	97
Commissioner of the Revenue	5,801
Sheriff	125
Jail	158,468
Commonwealth's Attorney	84
City Council	1,291
City Attorney	803
City Clerk	4,982
Real Estate Valuation	19,112
Municipal Auditing	58,752
Department of Finance	934
Billings and Collections	25,147
Electoral Board	9,464
City Manager	436
Economic Development	8,208

Department of Management and Budget	5,900	
Human Resources		48,334
Occupational Health	1,000	
Communications - E911		23,833
Communications - Radio Shop		29,407
Purchasing		2,018
Custodial Services		18,554
Building Maintenance		447,132
Fire - Operations	4,712	
Emergency Medical Services		6,567
Streets and Traffic		31,549
Paving		440,271
Snow Removal		41,678
Street Lighting		25,827
Traffic Engineering		133,107
Solid Waste Management		14,721
Engineering		169,269
Building Services		21,296
Planning and Code Enforcement		46,401
Parks and Grounds Maintenance		180,642
Recreation		72,144
Social Services - Administration		1,110
Income Maintenance		7,632
Social Services - Services		16,440
VISSTA		1,611
Human Services/Community Education		3,772
Outreach Detention		17,760
Youth Haven I		9,195
Crisis Intervention		31,943
Police - Investigation		15
Police - Patrol		7,251
Police - Services		9,219
Police - Training		2,702
Law Library		4,271
Libraries		11,394
Environmental Services and Emergency Management	<u>11,290</u>	
Total Appropriations		<u>\$2,252,172</u>
<u>Fund Balance</u>		
Reserve for Prior Year Encumbrances		<u>\$2,252,172</u>

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Water Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Water Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Operating Expenses	\$ 30,071
Pumping Station and Tanks	437
Purification	46,991
Capital Outlay	173,256
Utility Line Services	<u>97,475</u>
Total Appropriations	<u>\$ 348,230</u>

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Sewage Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Sewage Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Administration	\$ 460,039
Maintenance	15,208
Operations	978
Laboratory	242
Lateral Maintenance and Replacement	<u>16,338</u>
Total Appropriations	<u>\$ 492,805</u>

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Civic Center Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Civic Center Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Operating Expenses	\$ 5,303
Capital Outlay	37,407
Concessions	<u>17,242</u>
Total Appropriations	\$ <u>59,952</u>

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Transportation Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Transportation Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Church Avenue Parking Garage	<u>\$ 960</u>
Total Appropriations	<u>\$ 960</u>

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Department of Technology Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Department of Technology Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Operating Expenses	\$ 118,524
Computer Aided Dispatch	7,717
Telephone System Maintenance	<u>18,570</u>
Total Appropriations	<u>\$ 144,811</u>

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Fleet Management Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Fleet Management Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Operating Expenses	\$ 10,674
Capital Outlay	<u>108,315</u>
Total Appropriations	<u>\$ 118,989</u>

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 School Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 School Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Instruction	\$ 411,360
General Support	49,601
Transportation	2,174
Operation/Maintenance of Plant	49,439
Facilities	<u>657,479</u>
 Total Appropriations	 \$ <u>1,170,053</u>

Fund Balance

Reserve for Prior Year Encumbrances	\$ <u>1,170,053</u>
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BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 School Food Services Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 School Food Services Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Food Services	\$ <u>24,695</u>
Total Appropriations	\$ <u>24,695</u>

Fund Balance

Reserve for Prior Year Encumbrances	\$ <u>24,695</u>
-------------------------------------	------------------

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

July 16, 2001

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Re: Amendment to Sewer Use Standards

Dear Mayor Smith and Members of Council:

On June 18, 2001, City Council adopted Ordinance No. 35423-061801, to implement the recommendations contained in the letter of the City Manager to the Council with regard to United States Environmental Agency (EPA) regulations requiring certain scientific study and evaluation to be done every five years of the local limits section of the City's sewer use standards. After the required study was completed, the results required amendments to several definitions and sections of Article III, Sewer Use Standards, of Chapter 26, Sewers and Sewage Disposal, of the Code of the City of Roanoke (1979), as amended. The Virginia Department of Environmental Quality (DEQ) also approved the amendments.

Upon review of the above referenced ordinance, it appears that one definition in §26-43, Definitions, relating to chemical oxygen demand (COD) and biochemical oxygen demand (BOD) ratios should have been deleted. In addition, subsection (k)(1)(b)(4) of §26-56, Discharge permits for industrial waste, requires the addition of two words. These amendments are of a housekeeping nature to correct an inadvertent oversight in the previous ordinance.

An ordinance is attached for Council's consideration which, if adopted, will accomplish these housekeeping amendments.

With kindest personal regards, I am

Sincerely yours,

William M. Hackworth
City Attorney

WMH:f

The Honorable Mayor and Members
of City Council
July 16, 2001

Page 2

Attachment

cc: Darlene L. Burcham, City Manager
Michael T. McEvoy, Director of Utilities
S. Scott Shirley, Manager, Water Pollution Control Plant
Gary E. Tegenkamp, Assistant City Attorney

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining Chapter 26, Sewers and Sewage Disposal, Article III, Sewer Use Standards, Code of the City of Roanoke (1979), as amended, by amending certain subsections of §26-43, Definitions, and §26-56, Discharge permits for industrial waste, with regard to certain items specifically regulated by this Code in order to comply with regulations of the United States Environmental Protection Agency (EPA), which proposed amendments have been approved by both the EPA and the Virginia Department of Environmental Quality (DEQ); and providing for an emergency.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Section 26-43, Definitions, and §26-56, Discharge permits for industrial waste, Article III, Sewer Use Standards, Chapter 26, Sewers and Sewage Disposal, of the Code of the City of Roanoke (1979), as amended, are hereby amended and reordained to read and provide as follows:

§26-43. Definitions.

For the purpose of this article, the words and phrases set out in this section shall have the following meanings:

* * *

COD (chemical oxygen demand) means the measure, expressed in mg/l, of the oxygen consuming capacity of inorganic and organic matter present in water or wastewater, expressing the amount of oxygen consumed from a chemical oxidant in a specific test, but not differentiating between stable and unstable organic matter and thus not necessarily correlating with biochemical oxygen demand.

COD (soluble) means the COD of the filtrate from wastewater that is filtered through a gooch crucible as required by the suspended solids test in "Standard Methods."

* * *

§26-56. Discharge permits for industrial waste.

* * *

- (k) All owners of facilities governed by industrial wastewater permits issued pursuant to this section shall also comply with any applicable reporting requirements, including but not limited to:

(1) *Baseline monitoring reports.*

* * *

- (b) Industrial users described above shall submit the information set forth below:

* * *

4. Flow measurement. Information showing the measured or estimated average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestreams formula set out in 40 CFR 403.6(e).

* * *

2. In order to provide for the usual daily operation of the municipal government, an emergency is deemed to exist, and this ordinance shall be in full force and effect immediately upon its passage.

ATTEST:

City Clerk.

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Renaming of Washington Park

Planning Commission Action:

On June 21, 2001, the Planning Commission considered the request to rename Washington Park to Booker T. Washington Park. By a vote of 6-0 (Mr. Hill absent, Messrs. Butler, Campbell, Chrisman, Dowe, Manetta, and Rife voting in favor of the request), the Planning Commission recommended approval of the proposed name change.

Background:

The Acting Director of Parks and Recreation has requested that Washington Park be renamed to Booker T. Washington Park to reflect the history of the park. This name change is recommended by a citizen committee established to make improvements to Washington Park. See attached letter of June 4, 2001.

At the Commission's regular meeting on June 21, 2001, Evie Lander presented the staff report on the requested renaming, recommending approval of the request. After discussion by the Planning Commission, the Commission's chairman asked for citizen comment. There being none, the Commission recommended approval.

Considerations:

The *Comprehensive Plan* identifies Washington Park as a city park. The Plan recommends that existing parks and recreation facilities should be continued and supported.

Planning Commission guidelines for naming public facilities recommend that names with historical basis are appropriate.

Recommendation:

The Planning Commission recommends that City Council rename Washington Park to Booker T. Washington Park, as requested by the citizen committee and the Department of Parks and Recreation.

Respectfully submitted,

D. Kent Chrisman, Chairman
Roanoke City Planning Commission

c: Darlene L. Burcham, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney
Wanda B. Reed, Acting Director, Parks and Recreation

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Request for Street Name Change of a portion of Ferndale Drive to Ordway Drive due to road reconstruction

Planning Commission Action:

On June 21, 2001, the Planning Commission considered the request to change the street name of a portion of Ferndale Drive, to Ordway Drive. By a vote of 6-0 (Mr. Hill absent, Messrs. Butler, Campbell, Chrisman, Dowe, Manetta and Chrisman voting in favor), the Planning Commission recommended approval of the proposed name change.

Background:

New industrial development along Frontage Road resulted in the extension of Ordway Drive from Hershberger Road to Ferndale Drive. A cul-de-sac was installed on Ferndale Drive near William Ruffner Middle School for traffic safety purposes. The name of the new street connection was never changed to reflect the new street pattern. These improvements are illustrated on the attached map.

At the Commission's regular meeting on June 21, 2001, Evie Lander presented the staff report on the requested name change, recommending approval of the

request. There was no one in the audience who was either in favor of or opposed to the requested change.

Considerations:

The *Comprehensive Plan* identified the area for new industrial development. The Plan recommended that the City's traffic management system should be an reviewed on an on- going basis.

Recommendation:

Planning Commission recommends that City Council rename Ferndale Drive from the extended Ordway Drive to its terminus to Ordway Drive. There would be no change in the name of Ferdale Drive from Ferncliff Avenue to the cul-de- sac.

Respectfully submitted,

D. Kent Chrisman, Chairman
Roanoke City Planning Commission

attachment

c: Darlene L. Burcham, City Manager
Rolanda Johnson, Assistant City Manager
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney
Phil Schirmer, City Engineer

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the City Manager to execute an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located at 506 Church Avenue and the adjoining lot, bearing Official Tax Nos. 1113419 and 1113418, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions.

WHEREAS, a public hearing was held on July 2, 2001, pursuant to ' ' 15.2-1800(B) and 15.2-1813, Code of Virginia (1950), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on said conveyance.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. The City Manager and the City Clerk are hereby authorized, for and on behalf of the City, to execute and attest, respectively, an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located at 506 Church Avenue and the adjoining lot, bearing Official Tax Nos. 1113419 and 1113418, to the YMCA of Roanoke Valley, Inc., upon the terms and conditions set forth in the City Manager's letter to this Council dated July 2, 2001.

2. All documents necessary for this conveyance shall be in form approved by the City Attorney.

ATTEST:

City Clerk.

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council

Subject: Request from Lee Hi Land Group, represented by Bob Coptly, Managing Partner, that conditions on property located on the north side of Orange Avenue, one-quarter mile east of Granby Street, N.E., designated as Official Tax No. 7140114, and approved under Ordinance No. 33516-080497, be amended.

Planning Commission Action:

On June 21, 2001, the Planning Commission held a public hearing on the proposed request. By a vote of 7-0, the Planning Commission recommended approval of the proposed amendment of proffered conditions.

Background:

The property is a vacant lot in the 3000 block of Orange Avenue (Route 460) between Granby Street and Seibel Drive. In 1997, the property was rezoned from LM to C-2, with the following proffered conditions:

1. That the property will be developed in substantial conformity with the development plan.

2. That the property will not be used for neighborhood or highway convenience store, a fast-food restaurant or outdoor advertising.

A petition to amend the conditions of the rezoning was filed on February 1, 2001. A second amended petition was filed on April 11, 2001. The second amended petition proffers the following conditions:

1. That the property will not be used for a neighborhood or highway convenience store, a fast-food restaurant, or outdoor advertising.
2. A maximum of one entrance off of Route 460.

A Third Amended Petition was filed on July 10, 2001, to clarify the street extension of Granby Street, N.E. None of the conditions proffered in the Second Amended Petition changed.

The surrounding land uses are commercial and industrial in nature. To the west, there is a restaurant and a motel. To the north is an auto salvage business. On the west is a tractor/equipment dealer. Across Orange Avenue is Hickory Woods, an apartment complex. The zoning of the adjacent parcels is LM. Across Orange Avenue, the zoning is a mixture of RM-2, C-2, and LM.

Staff received one call from an adjoining property owner (Wayne Gould of Gravely Sales) who wanted information about how the site would be developed. Staff advised that the petitioner did not provide a plan for development. Staff made arrangements for the petitioner to contact Mr. Gould to discuss plans for the property.

At the Planning Commission public hearing on June 21, 2001, Mr. Robert Coptly presented his request to the Commission. Mr. Chris Chittum gave the staff report and recommended approval of the amendment of the proffered conditions. There was no one present in the audience who was either opposed to or in favor of the request.

Considerations:

The major constraint of the site is its topography. Roughly 175' back from the road, there is a steep upward slope, making the back third of the lot unusable. The reasoning behind the 1997 rezoning was that the usable portion of site is too small to support most industrial uses and the site is thus more appropriate for a commercial use.

A plan that specified the location of a 19,000 square foot building and associated parking areas was proffered as part of the 1997 rezoning. However, the site was not developed and is currently vacant. Elimination of the development plan proffer will provide more flexibility in developing the site.

The zoning ordinance strongly encourages limits on the number of entrances on arterial roads. The petitioner has responded to this concern by proffering the condition that access to the property will be limited to one entrance.

Inappropriate commercial uses are addressed by retaining the proffered condition that the property will not be used for neighborhood or highway convenience store, a fast- food restaurant or outdoor advertising.

Ken King, City Traffic Engineer, commented that the existing drive location should be adjusted slightly. The existing drive runs through the adjacent property. A new entrance may be constructed when the property is developed. Mr. King also noted that the deceleration lane might need to be extended, depending on the use of the property. These issues will be addressed administratively during development review.

Recommendation:

Planning Commission recommends that Council approve the request to amend the proffered conditions. The amended conditions address inappropriate uses of the site as well as limiting the number of curb cuts to one.

Respectfully submitted,

D. Kent Chrisman, Chairman
Roanoke City Planning Commission

CC:mpf

cc: Darlene Burcham, City Manager
Rolanda Johnson, Assistant City Manager for Community Development
William M. Hackworth, City Attorney
Steven J. Talevi, Assistant City Attorney
Bob Copt, Petitioner

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice-Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Subject: Tax Exemption Request

Dear Mayor Smith and Members of City Council:

Background:

The Blue Ridge Small Business Center, Inc., owns the property known as Tax Map #s 1130511, 1130512, 1130514, 1130515, 1130516, 1130719, 1130814, and 1130809, located at 1354 Eighth St., SW. This property houses the New Century Venture Center, an incubator for small businesses. Annual taxes due for 2000/2001 were \$4,561.68 on an assessed value of \$78,000 for the land and \$299,000 for the building.

The Blue Ridge Small Business Center, Inc., petitioned City Council in January 2001, requesting adoption of a Resolution in support of the organization obtaining tax-exempt status from the General Assembly on property located in the City of Roanoke.

Notification of a Public hearing to be held July 2, 2001, was advertised in the Roanoke Times on Sunday, June 24, 2001.

Considerations:

Loss of revenue to the City will be \$3,649.34 after a twenty percent service charge is levied by the City in lieu of real estate taxes. This service charge will be \$912.34.

Honorable Mayor and Members of Council

July 2, 2001

Page 2

Commissioner of Revenue, Sherman Holland, has determined the organization is not exempt from paying real estate taxes by classification or designation under the Code of Virginia. The IRS recognizes it as a 501(c) 3 tax-exempt organization.

Recommended Action:

Support the Blue Ridge Small Business Center, Inc., exemption from taxation to the General Assembly pursuant to Article X, Section 6 (a) 6 of the Constitution of Virginia.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/sem

Attachments

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Sherman A. Holland, Commissioner of Revenue
Willard N. Claytor, Director of Real Estate Valuation
David C. Anderson, City Treasurer

Elizabeth A. Neu, Director of Economic Development

Council letter #CM01 -00130

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Surplus City-
 owned
 Property

The City owns property located in Garden City behind Garden City Elementary School, which was acquired by the City over fifty years ago for Garden City Park. See attachment #1 for map of property. An adjacent property owner, Mrs. Cheryl Marie Proctor Chandler of 3655 Ventnor Road, SE (Tax Map No. 4390812) has requested that the City adjust the boundary line between her property and the City's property. There is a creek approximately ten feet from the property line that serves as the natural boundary. Adjusting the boundary line to the center of the creek would relieve the City of the obligation to maintain this strip which is very difficult to access. The City's property behind this parcel is of no benefit to the City and may be declared surplus and conveyed to the adjacent property owner for no consideration, retaining appropriate easements or rights-of-way. Conveyance of the property will return the property to the tax base. In order to claim the property, the adjacent owner will need to have a survey plat and deed prepared for approval and execution by the City.

Recommended Action(s):

Following a public hearing on the disposition of surplus property, authorize the City Manager to execute the appropriate documents to convey the property to the adjacent property owner, such documents to be approved as to form by the City Attorney. Grantee

will be responsible for all title work, surveying, plat preparation, and preparation of legal documents.

Respectfully submitted,

Darlene L. Burcham
City Manager

Attachment(s): 1

The Honorable Mayor and Members of Council
July 16, 2001
Page 2

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
James D. Grisso, Director of Finance
Sarah E. Fitton, Engineering Coordinator

CM01- 00131

ATTACHMENT #2

<u>Tax Map No.</u>	<u>Property Owner & Address</u>
4390812	Chandler, Cheryl Marie Proctor 3655 Ventnor Road, SE 24014
4390813	Southwood Management, Inc. 5031 Pitzer Road, SE 24014
4390811	Riley, Mark A. & Riley, Heather M. 3647 Ventnor Road, SE 24014
4390810	Altizer, Wayne N. 3641 Ventnor Road, SE 24014
4390817 4390809	Webb, James R. & Webb, Randall L. 3725 Ventnor Road, SE 24014

4390808 Overstreet, Harry J., Jr. &
Overstreet, Lisa D.
3629 Ventnor Road, SE 24014

4390816 Brown, Leon G., Sr. &
4390815 Brown, Dorothy W.
4390814 P. O. Box 11992 24022

4390807 Wortman, Timothy B. &
Wortman, Patricia A.
1349 Hillview Avenue, SE 24014

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE, authorizing the fee simple conveyance to the adjacent property owner (APetitioner@) of surplus City-owned property identified as a portion of Official Tax Map No. 4390619, located in Garden City Park, upon certain terms and conditions.

WHEREAS, a public hearing was held on July 16, 2001, pursuant to ' ' 15.2-1800(B) and 1813, Code of Virginia (19550), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on this proposed conveyance.

THEREFORE, BE IT ORDAINED, by the Council of the City of Roanoke as follows:

1. The City Manager is authorized to take the necessary action to convey City-owned property, identified as a portion of Official Tax Map No. 4390169 to the Petitioner, and upon the terms and conditions set forth in the letter to this Council dated July 16, 2001. All documents necessary for this conveyance shall be upon form approved by the City Attorney.
2. The Petitioner shall submit to the Subdivision Agent, receive all required approvals of and record with the Clerk of the Circuit Court for the City of Roanoke, a subdivision plat

with such plat adjusting the boundary line between the City and the adjacent property owner, and retaining appropriate easements or rights-of-way, together with the right of ingress and egress over the same, for the installation and maintenance of any and all existing utilities that may be located within the demised area, or the construction of a greenway.

3. The Petitioner shall, upon meeting all other conditions of conveyance of the property,

deliver to the Clerk of Circuit Court for the City of Roanoke, a certified copy of this ordinance for recordation, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner and the names of any other parties in interest who may so request, as Grantees, and pay such fees and charges as are required by the Clerk to effect such recordation.

4. Upon a certified copy of this ordinance being recorded by the Clerk of the Circuit

Court for the City of Roanoke, the Petitioner shall file with the City Engineer of the City Roanoke, Virginia, the Clerk's receipt demonstrating that such recordation has occurred.

5. If the above conditions have not been met within a period of twelve (12) months from the date of adoption of this ordinance, then said ordinance shall be null and void with no further action by City Council necessary.

ATTEST:

City Clerk.

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Bond Issuance under the Public
Finance Act

Background:

On June 18, 2001 City Council endorsed and concurred in the recommendations contained in the update to the Capital Improvement Program (CIP) for Fiscal Years 2002-2006, which included a list of new capital improvement projects and funding scenarios. Consistent with the recommendations in the CIP update, the following capital projects contained in the updated plan need to be funded by the next issuance of bonds pursuant to the Public Finance Act of 1991 (Code of Virginia):

Crystal Spring Water Filtration Plant	\$ 5,445,000
Curb, Gutter and Sidewalk Program	5,000,000
Schools	4,600,000
Stadium/Amphitheater	<u>16,200,000</u>
Total	\$ <u>31,245,000</u>

Detailed descriptions of each capital project can be found in the City of Roanoke's Capital Improvement Program Update for Fiscal Year 2002-2006.

Recommended Action:

City Council adopt the accompanying resolution authorizing the issuance of \$31,245,000 general obligation bonds pursuant to the Public Finance Act of 1991 (Code of Virginia).

Respectfully submitted,

Darlene L. Burcham
City Manager

James D. Grisso
Director of

Finance

DLB:afs

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Barry L. Key, Director of Management and Budget

July 16, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice-Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Subject: Sale of Key Plaza to Trigon
 Insurance Company

Dear Mayor Smith and Members of City Council:

Trigon Insurance Company (Trigon), successor in interest to Blue Cross of Southwest Virginia and Blue Shield of Southwest Virginia, is the owner of a multi-story office building on tax parcel number 4016002 at the corner of Franklin Road and Jefferson Street in downtown Roanoke.

Adjacent parcels to the building, parcel numbers 4016001 (Key Plaza) and 4016003, are both owned by the City of Roanoke. The City is solely responsible for maintenance and upkeep of these areas and solely responsible for the repairs to the Plaza.

Trigon has offered to purchase Key Plaza and parcel #4016003 for the purchase price of \$100, thereby relieving the City of the continuing obligations to maintain both parcels. Proper maintenance of the two parcels would be insured and they would both become subject to normal and customary real estate taxation by the City.

Additionally, Trigon has agreed that the Special Warranty Deed conveying the parcels to Trigon shall require that, unless the City agrees, Trigon and its successors shall continue to use and maintain the parcels as a plaza or open area.

Recommended Action:

Authorize City Manager to execute a deed and any other appropriate documents approved as to form by the City Attorney, necessary to transfer tax parcel numbers 4016001 and 4016003 to Trigon Insurance Company.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/sem
Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Elizabeth Neu, Director of Economic Development

#CM01-00141

**HUDSON
35457-071601**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JULY 16, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call. Council Member Harris was absent.**

The Invocation was delivered by The Reverend James Beatty, Pastor, Bethel AME Church, Cave Spring.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, July 19, 2001, at 7:00 p.m., and Saturday, July 21, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

A RESOLUTION expressing sympathy to the congregation of Virginia Heights Baptist Church and their pastor, our fellow Council Member C. Nelson Harris.
Adopted Resolution No. 35457-071601. (6-0)
File #20-132-215-367

2. CONSENT AGENDA

(APPROVED 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 A communication from Council Member William White, Sr., Chair, Audit Committee, requesting that Council convene in Closed Session to discuss appointment of a new Municipal Auditor, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request.
File #132-280

- C-2 A communication from the City Attorney requesting that Council convene in Closed Session to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.1-344 (A)(7), Code of Virginia (1950), as amended.

RECOMMENDED ACTION: Concur in request.
Withdrawn by City Attorney.

- C-3 A communication from Edward A. Natt, Attorney, representing Southside Development Company, requesting that Council authorize the City Clerk to advertise a public hearing for Monday, August 6, 2001, at 2:00 p.m., or as soon thereafter as the matter may be heard, on the request of his client to rezone property located at the southeast terminus of Bean Street, N. W., from C-1, Office District, to LM, Light Manufacturing District.

RECOMMENDED ACTION: Concur in request.

File #51

- C-4 A communication from the City Manager recommending that the City Clerk be authorized to advertise a public hearing for Monday, August 6, 2001, at 2:00 p.m., or as soon thereafter as the matter may be heard, to consider entering into a new lease for the building located at 3379 Colonial Avenue, S. W.

RECOMMENDED ACTION: Concur in recommendation.

File #166-373

- C-5 Qualification of the following persons:

Sharon Hicks as a member of the Youth Services Citizen Board for a term ending May 31, 2004;

George Kegley as a member of the Roanoke Arts Commission for a term ending June 30, 2002; and

William E. Skeen as a member of the Board of Trustees, City of Roanoke Pension Plan, for a term ending June 30, 2005.

RECOMMENDED ACTION: Receive and file.

File #15-230-304-429

REGULAR AGENDA

3. HEARING OF CITIZENS UPON PUBLIC MATTERS:

- a. Presentation by representatives of 21st Century Challenge, a program created by Habitat for Humanity International. Bill Poe and Ted Edlich, Spokespersons.

Received and filed.
File #178-226-399

- b. Presentation by Vital Signs in regard to the New Technology Corridor. Priscilla Richardson, MA, JD Vital Signs Representative.

Received and filed.
File #545

4. PETITIONS AND COMMUNICATIONS: NONE.

5. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication with regard to performing Third Party Administrator functions by Landin, Inc., for Workers' Compensation for the City of Roanoke, in the amount of \$40,000.00 per annum.

**Tabled until the regular meeting of Council on Monday,
August 6, 2001, at 2:00 p.m.
File #63-184**

2. A communication with regard to reassignment of Management Services functions to the Department of General Services and the Department of Technology.

**Adopted Budget Ordinance No. 35458-071601. (6-0)
File #45-60-301**

3. A communication recommending that the City Manager be authorized to accept the bid of McNeil Asphalt Maintenance, Inc., for repairing, resurfacing, and restriping tennis and basketball courts in the City, in the amount of \$99,900.00; and appropriation of funds.

**Adopted Budget Ordinance No. 35459-071601 and Ordinance
No. 35460-071601. (6-0)
File #60-67**

4. A communication recommending acceptance of bids submitted by GTSI Corporation for the purchase of mobile computers and Motorola, Inc., for the purchase of vehicle radio modems and test messengers for use by the Police and Fire Departments; and appropriation of funds.

**Adopted Budget Ordinance No. 35461-071601 and
Resolution No. 35462-071601. (6-0)
File #5-60-70-472**

The question of including line items in the City's fiscal year budget for technology upgrades, vehicle replacement and other items was referred to the City Manager and to fiscal year 2001-02 budget study.

File #60-301-472

5. A communication recommending acceptance of bids submitted by Magic City Motor Corporation and Roanoke Welding Company for trucks and related equipment for the Streets and Traffic Department, in the total amount of \$241,558.00.

**Adopted Resolution No. 35463-071601. (6-0)
File #20-472-514**

6. A communication recommending acceptance of exercise equipment, valued at \$20,000.00, from the Roanoke Association Chapter of the Virginia Police Benevolent Association, Inc.

**Adopted Resolution No. 35464-071601. (6-0)
File #5-80-472**

7. A communication recommending acceptance of the Urban and Community Forestry Grant, in the amount of \$13,674.00.

**Adopted Budget Ordinance No. 35465-071601 and
Resolution No. 35466-071601. (6-0)
File #60-236-240**

8. A communication in connection with funding recommendations of the Human Services Committee for qualified agencies for fiscal year 2001-02.

**Adopted Budget Ordinance No. 35467-071601 and Resolution No. 35468-071601. (5-0 - Council Member Bestpitch abstained from voting inasmuch as his spouse is employed by the YMCA, one of the organizations recommended for funding by the Human Services Committee.)
File #60-72-110**

b. DIRECTOR OF FINANCE:

1. A report recommending adoption of measures to reappropriate funds into the current year budget in order that certain encumbrances may be properly liquidated.

**Adopted Budget Ordinance Nos. 35469-071601, 35470-071601, 35471-071601, 35472-071601, 35473-071601, 35474-071601, 35475-071601 (6-0) and 35476-071601 and 35477-071601. (5-0 - Council Member Wyatt abstained from voting inasmuch as she is employed by the Roanoke City Public School System.)
File #60**

c. CITY ATTORNEY:

1. A report with regard to amendment to the Sewer Use Standards.

**Adopted Ordinance No. 35478-071601. (6-0)
File #24-27**

6. REPORTS OF COMMITTEES:

- a. A report of the City Planning Commission recommending that Washington Park be renamed Booker T. Washington Park as requested by a citizen committee and the Department of Parks and Recreation. D. Kent Chrisman, Chair.

**Adopted Resolution No. 35479-071601. (6-0)
File #67**

- b. A report of the City Planning Commission recommending that Ferndale Drive from extended Ordway Drive to its terminus be renamed Ordway Drive, N. W., and that there be no change in the name of Ferndale Drive from Ferncliff Avenue to the cul-de-sac. D. Kent Chrisman, Chair.

**Adopted Resolution No. 35480-071601. (6-0)
File #85-514**

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35438, on second reading, authorizing the City Manager to execute an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located at 506 Church Avenue and the adjoining lot, bearing Official Tax Nos. 1113419 and 1113418, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions.

**Adopted Ordinance No. 35438-071601. (5-0 Council Member Bestpitch abstained from voting inasmuch as his spouse is employed by the YMCA.)
File #100-166**

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Hudson commended The Roanoke Times on sponsoring the "Music for Americans" celebration which was held at Victory Stadium on July 4.

File #87-132

Vice-Mayor Carder referred to the proposed timetable for repairs to the City's skateboard park which will be completed on or about August 30, 2001.

File #67

Vice-Mayor Carder referred to concerns expressed by citizens regarding the removal of basketball goals on City property adjacent to residential homes, and requested that the City Attorney research the question of whether the City could be indemnified against liability, upon application by the property owner.

File #51-66

Following questions and comments by Council Members, the City Manager presented an update on revisions to the City's solid waste collection program which was implemented on July 1.

File #144

The Mayor called attention to a recent visit to the flood ravaged areas of West Virginia; whereupon, he requested an update by the City Manager on the City of Roanoke's emergency disaster plan.

File #188-237

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

Ms. Josephine Hutcheson, 1111 Loudon Avenue, N. W., and Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., addressed Council in opposition to curbside refuse collection.

File #66-144

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CERTIFICATION OF CLOSED SESSION.

THE MEETING OF ROANOKE CITY COUNCIL WILL BE DECLARED IN RECESS TO BE RECONVENED AT 5:00 P.M., IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, NOEL C. TAYLOR MUNICIPAL BUILDING, FOR A JOINT MEETING OF ROANOKE CITY COUNCIL AND THE ROANOKE CIVIC CENTER COMMISSION.

FOLLOWING THE SESSION OF COUNCIL AND THE CIVIC CENTER COMMISSION, THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 7:00 P. M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., CITY OF ROANOKE.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JULY 16, 2001
7:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

Call to Order -- Roll Call. Council Members Carder and Harris were absent.

The Invocation was delivered by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, July 19, 2001, at 7:00 p.m., and Saturday, July 21, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Public hearing on the request of Lee Hi Land Group on the question of amending proffered conditions presently binding upon a tract of land lying on the north side of Orange Avenue, N. E., Official Tax No. 7140114, as set forth in Ordinance 33516-080497, adopted on August 4, 1997. Bob Copt, Managing Partner, Spokesperson.

Inasmuch as the petitioner was not present to respond to questions, the matter was tabled.

File #51

2. Public hearing on the request of the Ridge Small Business Development Center, Inc., d/b/a The New Century Venture Center, for designation of property located at 1354 Eighth Street, S. W., to be exempted from taxation. Lisa Ison, President, The New Century Venture Center, Spokesperson.

Adopted Resolution No. 35481-071601. (5-0)

File #79

3. Public hearing on the proposal of the City of Roanoke to convey approximately 1,000 square feet, more or less, of City-owned property located in Garden City Park, described as a strip of land approximately 100' x 10' between the creek and the rear property line of Official Tax No. 4390812, being a portion of Official Tax No. 4390619, to Cheryl Marie Proctor Chandler, 3655 Ventnor Road, S. E., upon certain terms and conditions. Darlene L. Burcham, City Manager, Spokesperson.

Withdrawn by City Manager.

4. Public hearing with respect to the proposed adoption of a resolution authorizing the City of Roanoke to contract a debt and to issue general obligation public improvement bonds of the City and in anticipation of the issuance thereof general obligation public improvement bond anticipation notes of the City, in the principal amount of \$31,245,000.00, for the purpose of providing funds to pay the costs of acquisition, construction, reconstruction, improvement, extension, enlargement and equipping of various public improvement projects of and for the City. Darlene L. Burcham, City Manager; and James D. Grisso, Director of Finance, Spokespersons.

**The resolution was lost on a 3-1-1 vote of Council.
File #53**

5. Public hearing on the proposal of the City of Roanoke to convey to Trigon Insurance Company certain City owned property identified as Official Tax Nos. 4016001, also known as Key Plaza, and 4016003, located on Franklin Road, S. W. Darlene L. Burcham, City Manager, Spokesperson.

**Adopted Ordinance No. 35482-071601. (5-0)
File #166-501**

B. OTHER HEARING OF CITIZENS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

**Mr. Woodrow Hickman, 1010 Norfolk Avenue, S. W., addressed Council in opposition to curbside refuse collection.
File #66-144**

Jeff Artis, Chair, Roanoke Southern Christian Leadership Conference, advised that in view of two reported cases of alleged police brutality and other information compiled by the SCLC over the past several years concerning Roanoke's law enforcement personnel, the SCLC will formally request the U. S. Department of Justice to investigate all Roanoke City law enforcement agencies, including the Police Department, Sheriff's Department and Commonwealth Attorney's Office.
File #5-66-121-133

Preston Moore, Ombudsman for the Commonwealth of Virginia for Women, Minorities, Children and the Disabled, as appointed by SCLC President, Herbert Coulton, spoke in support of the remarks of Mr. Artis, and suggested that a Member of Council convene a meeting of appropriate persons to investigate activities of Roanoke's law enforcement agencies.
File #5-66-121-133

Mr. Robert Gravely, 617 Hanover Avenue, N .W., addressed Council with regard to City issues of concern, specifically, insufficient wages for the City work force and the high real estate tax rate in the City of Roanoke which makes it difficult for the average worker to purchase a home.
File #66-79-184

Mr. George Gunther, P. O. Box 12353, expressed concern in regard to alley closings in the City which will eliminate rear access to private residences by emergency vehicles. Instead of closing the alleys, he suggested that alleys be widened to allow for improved access and cleared of debris to eliminate health and safety hazards.
File #66-514

The Council meeting was declared in recess.

Certification of Closed meeting. (5-0)

The Council meeting was declared in recess until Monday, July 30, 2001, at 12:15 p.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Ave, S. W.